

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-30208-MAP

BRADFORD C. COUNCILMAN,)
Plaintiff)
vs.)
ALIBRIS, INC.,)
MICHAEL WARCHUT,)
PETER KROTKOV,)
Defendants)

**DEFENDANT, MICHAEL WARCHUT'S, OPPOSITION TO PLAINTIFF'S MOTION
FOR STAY OR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS**

NOW COMES the defendant, Michael Warchut ("Warchut") and hereby opposes the Plaintiff's Motion for Stay or Extension of Time to Respond to Motions to Dismiss (the "Plaintiff's Motion"). The defendant herein incorporates by reference and adopts as his own, the arguments put forth in the Opposition to the Plaintiff's Motion filed by the defendant, Alibris, Inc., with this Court on March 1, 2005. Except for the argument put forth by Alibris as employer of the defendant, all other arguments apply with equal force and effect as to Warchut.

WHEREFORE, Warchut respectfully requests that this Court deny the Plaintiff's Motion to the extent the plaintiff seeks relief beyond an extension to April 1, 2005 to file his opposition to the defendant's Motion to Dismiss filed on March 4, 2005.

THE DEFENDANT
MICHAEL WARCHUT

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